/135 cont./
241 796 let us note, any special denomination. The term anflus has fallen into disuse. One is called only bab lIkhir, that is to say, gifted with a "good hand"; and, further, this power is expressed by paraphrases: ifulki kh-tyuga, "he is good at cultivation," 241 796 etc. This verbal haziness is perhaps, but not certainly, a trait of decadence. However that may be, here are the results of an 619 634 enumeration that was meant to be exhaustive. /The following enumeration, through 12, appears in small type in the original 184 source./

1. Idaw Geryun:

Village of Targa Ufella (the last before the ascent of the Tichka): all the inhabitants are descended from a single origin, the old a. Chšib. It is perhaps for that reason that there is no [525] discrimination among them. Drawing lots to inaugurate the ir- [782] rigations. On the first Saturday in May, a black goat is carried [787] to a certain rock in the mountains and sacrificed. If the blood runs, the omen is good.

At Ighelmellen, the Ih'muchcha, surviving family of the Iqorran, first occupants, inaugurate the irrigation and the moun- [782] tain pastures. Propitiatory libations, called ifyed'.

Rektu wasif: the a. Abdelkrim have the initium for water.

Zaouia of Sidi Lh'sen u Tiqqi: these are the a. Umetjar.

Ikis: general initium (and not only for water) of the a. Uaziz.

2. Ait Wasif (a. H'adduyws):

Igersafen: a. Sšid.

a. Zemlal: a. Umetjar.

a. Bah'mmo and Uzaga: the a. Th'emjit enjoy a general [784] initium, attributed to the ancestor Amer u H'addo. Period reputed to be unfavorable: Lmunah'is or Ih'h'yalen, and the lqšleb: one does not shave, one does not till, one is in mourning.

/136/ 2 /sic/. Tasa (ditto):

Villages of Fensu and Tasa: the a. Ggahi have the initium for water, are in charge of the ifyed': same interdiction as [784] above. In addition, during this period, one cannot wash the linen. The a. Umghar: initium for war.

/249 cont./

539 said had died. We have never known the exact site of the spring,
776 and, since that time, we have vainly searched in every corner of
823 the orchard, but undoubtedly the water is no longer there, now that the saint has gone."

This account was given by a mature and sober personage, our contemporary to boot (2).

[634] • 2. The amghar /chief/ of the a. Abdella.

538 Its value is only more striking because of that. Not only a psy-
776 chological document concerning the narrator, who is not at all a
823 good woman amused by stories. But, more objectively, an anec-
789 dote illustrating the functioning of the sacred on the agricultural plane. That is a plane essential to this society. It constantly explains hydraulic phenomena by the intervention of a saint. It is thus that a rock, obstructing the ditch of Meghdir, will one fine day be bored as a tunnel by a miraculous fox, whom Sidi Mh'nd animates. The latter is the great discoverer of springs of the whole country, which contributes to the classicism of his kind. His "crook," takurayt, planted in earth, caused to shoot forth the fine resurgence which, /250/ between T'abaya and Igernssuq, reanimated the bed of the river, absolutely dry immediately upstream.

Such practices as these burst forth with a color that vividly reminds one of the Mediterranean Antiquity. Some of them have
823 been reported above. The most striking is this libation of flour
782 and milk that certain high-mountain families pour into the communal "basin" at the opening of the irrigations. At Tasa, for example, a member of the old lineage of the ait Ggahi carries the vessel to the chcharij and pours it there, while saying only one word, the bismillah. The operation is designated by a stereotyped term, ifyed', which may be translated as "expulsion," by comparing it with its factitive açifed. If the bearer, on the way,
• [784] has pronounced a single word, the operation is no longer valid: fine case of ritual mutism, euphemei as the Greeks said.

Beyond that
578 /266 cont./ there is emigration, a frequent
42 form of protest against an oppressor judged for the moment to be
166 stronger and against whom one insists on one's rights. It is in this way that the notarial practice knows "safeguard" acts, istih'fâz', most often confused with those of istir^{c}â'. Whence, moreover, the frequent allegation of absence, interruptive of prescription, in instances of a more complex and more mature turn to which the revendication of land gives rise. Evidently, the Mussulman theory of the ghayba, "imprescriptibility based on absence," has provided there only a convenient cadre for an old, local notion, both economic and ritual: the absent one is also the suppliant. His flight obscurely "obligates" the one provoking it.

578 These manifestations do not go, as in other societies, so far
562 as the man's suicide. But it is striking that the Chleuh /Shluh/
762 woman rather frequently has recourse to this genre of protestation. She hangs herself or throws herself into a cistern. And, in fact, in spite /267/ of the juridical capacity which not only the law but the mores recognize for her, and which her psychological propensity makes her exercise fully, her life in certain respects is more amenable to an extrajuridical plane than that of the man. Perhaps because of lesser communal implication: economy of the gift during the long betrothal, assiduous practice of magic, relationships of fides in the marriage state, recognized aptitude for imprecatory procedures. It is in these perspectives that it is necessary to study the act, rich in social consequences, that the suicide of the woman constitutes, an act relatively frequent, and which manifests the rupture, voluntary or not, of the bond of the group. Most often it is a solemn protestation against the wrong
762 suffered. But it may also result from a disorder inflicted by
784 mysterious powers. For example, during the winter of 1953, all
787 the women of Usikis incurred the anger of a saint by collecting herbs in the reserved meadows of the Tasila. They were seized by "demoniac" manifestations that in one or two cases went

/267 cont./
762 as far as suicide (1).
784
787

1. Further interferences between law, magic, agrarian life, around the aggʷmi, whose placing in defense is put "under the guarantee" of a saint.

000 The past, even recent, of the Seksawa yields numerous facts of this order. Their variety and, in certain respects, their incoherence cannot conceal the fact that they originate from a stage of archaic indivision among the most corroded modes of the agrarian, religious, and juridical life.

/268/ III. Patronages of Saints, Natural Periodicity and Juridical Obligation

776
794

Another Stage of Rites: The Dues To the Saints

If on the local plane the balance sheet is so unfavorable to personal holiness, it is not the same for another order of facts: the liaisons of patronage that are established between the group and external saints. This externality in fact seems to be an essential condition: whether the chchard' (1)

[571]
[634]

1. Ar.: chart', "stipulation." The use of this word in the sense of dues to saints is ancient. Cf. Manâqib al-H'ud'aykî, t. I, p. 151, l. 4 de fine, concerning a saint of the Haouz in the sixteenth century.

paid to a Seksawa saint, Lalla Aziza or Sidi Mh'and, for example, depends on a sort of federalism between different Seksawa cantons, or -- the most common case -- such-and-such a group, such-and-such a subgroup, even such-and-such a family, separately, freely, and with all the appearances of juridical spontaneity, takes up a

776 /268 cont./
794 subscription for the protection of a foreign personage; and this
[571] personage is not always a compatriot or a neighbor, for no one is
[634] a prophet in his country. But for the moment let us reserve this aspect, geographical in a way, in order to study in a little detail the manner in which the institution presents itself within definite cantons.

792 During the dangerous periods of the siba, a classic function
728 of the holiness, or of his beneficiaries, was to play the role of
175 patron, guarantor, or conciliator in disputes between groups. This is what an author from the Sous has named "the extinction of the fires of public disturbances," it'fâ' nîrân ath-thâ'irât bayna'n-nâs (2).

2. Manâqib al-H'ud'aykî, t. II, p. 52,
1. 11.

Thus an act of 1079 Heg.: 1668 shows the marabouts descending from Sidi ᶜAyâd of T'amast (Ud Berreh'il, in the valley of the Sous) at work. The Idaw Geryun and the Iqorrân, former occupants, were in conflict. The latter had to retreat to Idaw Mçat't'og. One day, it was the octave of the Aid, they had assembled on the az'allo for the collective prayer when the I. Geryun, disguised as women, attacked them. Whence a series of /269/ inexpiable vendettas. Then the marabouts intervened. They fixed a limit by the implantation of the "crook of God," takurayt n-rbbi (cf. ar. /Arabic/ ᶜukkâz in the same sense).
[784] They matched this operation with terrible imprecations against anyone who violated the truce: God would pursue the guilty one and his descendants to complete extinction, h'atta yanqarid'û min
[681] ad-dunyâ. On a more temporal plane, the infraction would be penalized by a fine of 1,000 ounces, to be paid to the descendants of the saint.

776 A number of other documents retrace less colorfully analogous
792 operations. It is very often Sidi Mh'and who is on the scene, and
728 that is in conformity with his passe-partout personality. His descendants, along with those of the saint of Assttif, regularly stand

/284 cont./

346 794 I pass the constructions that are inhabited by the present foqra, administrators, rather than holders of the benefic power, above all devolutionaries of the "benefice" tisura. Made of stone arranged in a straight line, on two and sometimes three stories, in joined assemblages, according to the powerful techniques of the mountain, they present nothing remarkable, except 794 for their paradoxically urban aspect. However, as this small 173 group materializes and exploits the tradition of the sanctuary, it will not be useless to investigate the oral chronicle concerning it.

It is composed of three families: the a. H'ammo, the a. Ali, and the a. Lh'sen, besides the habitual fringe of allogenes [784] and refugees. The reduction of the effective force of the latter two families in relation to the first is attributed to a curse that the saint cast upon them as penalty for an ambush in which they traitorously massacred the a. Musa. They had invited them to a tiwilt, "banquet-palaver." Having led them into a room upstairs, below which they had piled stalks of maize, they smoked them out. The unfortunate ones who jumped out the window were slain. Only one escaped. Even he was killed farther away. [211] Thirty-three slabs, each representing one of these human lives, have been, it seems, imbedded since then in the ceiling of the maqçura of a mosque at T'abya. Magic and official cult are joined here with cantonal patriotism.

[784] /285/ What the saint is punishing in the case at hand is not only the treachery of the two families, but the crime, whose victims were pure descendants of the royal line. A coincidence 776 to think about. Quite naturally this leads one to investigate as to [778] whether there are not other characteristics that can be revealed by an examination of the places and which would put one on the same track. First of all, this sidi bu Lqnadel, "the saint with the [619] candle ends," corresponding in Berbère /Berber/ to a bab n-tfawin, [634] which would also signify "the man with the proofs," would be none other than H'addo, the eponym of the a. H'adduyws of the highest valley, founder of the medieval dynasty. One bestows on [796] him each year no more than a little merrymaking: barely a few [443] cooked chickens, which the children eat. But three generations [692]

/330 cont./

695 Notably in the Moyen /Middle/ Atlas, its favorite milieu, they have posed it as the sole mode of proof. In Morocco, as in Algeria, it holds a place of honor in Berbère /Berber/ studies, which, according to general vagaries, seem not to have sufficiently circumscribed its aspects. Does Chleuh /Shluh/, and more precisely Seksawa, society, with its careful demarcations permit doing it? It will permit in any case, thanks to good fortune, the discovery of an act from the end of the fifteenth century, casting some light upon a considerable problem, that of the historical relations between plural testimony and the plural oath, cojuratio and laf'f, in Moroccan Mussulman law.

695 784 In Seksawa the oath is above all a releasing of magico-religious forces. That is demonstrated by what I shall call "the exception of Aldebaran." No oath may be taken in the mountains [245] before the period called that of Aldebaran (beginning of May): it [824] is the one when the fructification of the almond trees is con- [823] sidered assured. If the interdiction is broken, the entire harvest will be lost. On the other hand, the oath, even an insincere one, remains harmless if it is taken by the Seksawa on the plain. No moral explanation, punishment for perjury or anything else is alleged. It is indeed, and almost expressly, the releasing of forces [585] whose effect is feared. Let us note as a corollary that the a. H'adduyws proscribe not only the taking of oaths, but the celebration of marriage, tameghra, during the critical period. The Idma, the Imt'ddan, the a. Lh'sen from above, the Iguntar also [184] do this. Only /331/ the a. Abdella and the a. Musa escape the rule. Even among the latter, those from downstream forbid taking oaths before the ddurt feast of the Regraga in May. In the upper cantons, the interdiction extends not only to the taking of oaths and the celebration of marriage, but also to the solemn reading of titles to the terrain, which furnishes a nice confirmation of the views set forth above.

/The following two paragraphs are in small type in the original source./ To return to the matter of the oath, let us again call on a commentary of the a. Lh'sen.

[Ait Lh'sen]

/331 cont./

695 784 778 [821] The oaths, they say, are so dangerous that it is forbidden to take them in certain particularly efficacious places. Such as the timezgida of Awines, the one of Tifesfas, the one of Iguntar, the sanctuary of Sidi Musa. The latter punished the perjurer, and his whole canton along with him, by a devastating storm. He is irritable. It suffices if some vindictive woman comes to scratch the soil of his tomb for him to unleash the wind. It would be necessary to surround this tomb with an enclosure opening with a key, without which we would remain exposed to these dangers. At Iguntar, no one dares to take an oath at the mosque. One goes to do it on minor, unknown Regraga saints, on the side of the agadir. The timezgida of Tifesfas, which one day rose from the soil completely built, caused twelve coswearers and their twelve adversaries to perish for false oaths: that for an affair of twelve dinars. Families that lightly wasted their cojuratio have been punished by perpetual mediocrity; thus the ait Bella of Ighilan. They one day dared to affirm against the a. Barka, descendants however of Sidi Musa, and by this title formidable, that they themselves had planted the contested olive trees; but they had been content to cut off suckers that they thrust into the soil. But the a. Barka, thanks to the help of their ancestor, confounded the cheats, who afterwards were in jeopardy to the point that today their stock is very close to extinction.

695 571 This testimony from the a. Lh'sen curiously mixes naïve expression with reinterpretation. In any case, something else proves that the oath hides its virtue somewhere other than in its veracity. It is the fact that it is administered to a group determined in advance rather than to a person who has a resemblance to a witness of reality. The coswearers are invited to attest to things that they manifestly cannot know, that they have not seen, that they are reputed not to have been able to see. It is purely and simply their balance /Fr. appoint, money paying off an account, balance, change, odd money completing a sum/ that is required, and [602] nothing else. This balance is identified with that of the group. It is the group itself, namely, in our region and today, the group

443
625
685

/251 cont./

/footnote 1 continued/ paid for by buyers and sellers and maintaining the "tribal treasury." The case is exceptional in tribes living under a democratic constitution.

*[634] In this case the inflas sit permanently in a large shop and judge all the offenses that come to their knowledge. But most often, even when the fractions live by observing republican constitutions, it is a rich and powerful man who alone is capable of imposing respect for the decisions taken with regard to the guilty and of acting without delay against the highway thieves. The existence of the market thus favors the development of personal power, and it is by "commanding over the souq" that a leader best shows his prestige and worth.

443
*634
792
784

It also happens that the authority of the assemblies of inflas succeeds in being exerted more easily on the souqs by calling on a maraboutic authority. The markets of Lalla ᶜAziza among the Seksawa, of the "Jemaᶜa" of the Aït Daoud near the tomb of Sidi Saᶜid Ou ᶜAbd en Naᶜim among the Haha, are protected not only by the tribes, but also by the local saints, whose "tagat," curse, would strike down profaners pitilessly. In all the South, as moreover in the rest of Morocco, it is also in the vicinity of the most venerated sanctuaries, such as Lalla ᶜAziza of the Seksawa, Sidi Mehend Ouchchen of the Haha, Sidi Bihi of the Chtouka, Sidi Yahya ben ᶜAbd en Naᶜim of the Aït Tamment, Sidi Ahmed Ou Mousa of the Tazerwalt, and many others besides that the great fairs of spring or autumn, known by the name of "mouggar" (2).

[778]

2. From the verb "miggir," to meet (Destaing, Vocabulaire français berbère /French-Berber Vocabulary/, dialect of the Ida ou Semlal, Paris, 1920, p. 246). Fair: "anmuggar" (ibid., p. 131).

are held. These annual festivals attract the inhabitants of all the

/251 cont./

443 tribes located at several days' distance. It is understood that in
*634 this case no chief, no meeting of notables can have sufficient
792 prestige to impose respect on such a crowd divided by the mem-
•784 ory of so many quarrels. To order to have peace and security prevail during the holy days of the "mouggar," the fear of the punishments of a saint whose fearsome power is known to all is necessary.

443 In the souqs and the "mouggar," men and women always
562 occupy separate "rahba," different quarters. In certain tribes,
834 where custom watches more carefully to see that the /252/ two
184 sexes preserve a distinct activity in the external life, one finds special markets reserved for women. Doutté observed their existence in the north of the Haha; others are found in the South of that confederation and in the Sous plain among the Chtouka.

The explanation of this institution of markets specially reserved for women is perhaps quite simple. The Berbère /Berber/ [462] woman is in fact exclusively entrusted with the purchase and sale of certain products, wool, henna, fruit, eggs, and one understands that she thus has her particular souqs; it might be, moreover, that this institution may conform to the usual tendency toward the division of the two sexes in the domestic life, which one observes among the Berbères /Berbers/. There is reason to note, however, that in the South of Morocco the women's souqs appear in the most Islamized regions. They are, on the contrary, unknown in the mountains, in the regions where the most ancient traditions have been best preserved. Let us add that certain women's markets are of recent creation, and that to justify their existence people in the tribes invoke the observance of the prescriptions of Islam on the rigorous separation of the sexes in social life (1).

[113]

1. Cf. Doutté, Bulletin de l'Afrique française, supplément économique, 1905, p. 2, and our article, "Coutumes et légendes de la côte berbère /Customs and Legends of the Berber Coast/," Hespéris, 1924, 1st quarter, pp. 104-105.